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CLERK

No.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1984

In re: ROBERT C. BELL, Jr.
Petitioner,

PETITION FOR WRIT OF MANDAMUS

PETER J. KIERNAN
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May 1, 1985

2318

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In re: ROBERT C. BELL, Jr.

Petitioner,

QUESTIONS PRESENTED

1. Should "Density Zoning" exceed one acre per house if such is certified to be a buildable area by a qualified civil engineer?

2. Should the time which a municipal planning agency takes to consider an application for a subdivision be unlimited?

PETITION FOR WRIT OF MANDAMUS

TO THE JUSTICES OF THIS HONORABLE COURT:

PROPOSED ORDER TO SHOW CAUSE

The Town of Lewisboro, County of Westchester, State of New York, is ordered and directed to show cause within a period of sixty days as to why the following appended order should not be issued.

ORDER

The Town of Lewisboro, County of Westchester and State of New York, is ordered and directed to repeal orders and limitations which prevent the construction of a dwelling house on one acre or more of land where such is found practicable by a certified civil engineer and to hear and decide application for subdivision within sixty days.

PETITION

1. The people of the United States face a severe and almost unprecedented housing shortage.

2. Said housing shortage bears most heavily on young married couples with children, or desiring such.

3. These families, or landowners, or land developers wishing to serve them, are often thwarted by some townspeople and some town officials allied with them who want to "keep the town just the way it is."

4. Metropoltian areas, particularly New York City, are hemmed by communities of this kind who subject any development to unconscionable delays and extravagant planning expense, which is often over thirty (30%) percent of the cost of the project, if such is permitted at all.

5. The consequence of such delays and expense has been an unprecedented increase in the cost of homes and a national shortage of housing.

6. These dilatory and obstructive communities have no authority in the housing field other than that delegated to them by the legislatures of their respective states.

7. Said authority is constitutionally limited to the conventional use of "police power," which is circumscribed by matters of "health" or "morals" or "safety."

8. This Petition is directed solely at *"Density Zoning"* and not the necessary administrative delays coincidental to the construction and approval of dwellings, roads, water supply, septics systems, etc.

9. The New York Court of Appeals has already held five-acre zoning to be unconstitutional. (*Robert E. Kurzis, Inc. v. Incorporated Village of Upper Brookville,* 67 S.D. 2d 70, 414 NYS 2d 573 (1979).

10. Adequate dwelling space, septic facilities, water supplies and access routes can usually be placed on a half-acre (1/2 acre) of land. Consequently, any subdivision or zoning requirement in excess of one (1) acre is prima facie unreasonable and an unconstitutional use of local police power. A judicial declaration of such is of immediate importance. Confirming this, the neighboring Town of Stamford, Connecticut, has a maximum limitation of one acre, and permits up to sixty dwelling units per acre depending upon available public facilities.

11. The petitioner, Robert C. Bell, Jr., respectfully applies, in behalf of himself and others similarly situated, pursuant to Section 1651 Title 28, United States Code, and Rule 21(a) of the Federal Rules of Appellate Procedure, and Section 1983, of the Civil Rights Act, Title 42, United States Code, Chapter 21, for a Writ of Mandamus, or in the alternative for a Writ of Prohibition directed to the respondent Town of Lewisboro, County of Westchester, State of New York, in general conformity with the attached proposed draft Order.

12. The said Town of Lewisboro is a municipality near his home in which the petitioner has wholly or partially owned approximately four hundred acres of land plus more than one hundred lots for as long as twenty-three years.

13. In 1975, a portion of this property (268 acres) was approved for 162 dwelling units, after 8 revisions of plans. Under "Designed Development" provisions of the zoning regulations, this quota could be doubled to 324 building units if bedrooms were restricted to two bedrooms per unit (to hold down the number of school children). When the bedrooms limitation was held to be illegal in another long-pending case, the "Designed Development" provision was

repealed altogether in 1977, and housing development plans for this property were abandoned with water supply and sewage disposal plans still incomplete.

14. Frederick P. Clark & Associates, of Rye, New York, planning consultants for the respondent and numerous other towns in the area, selected several hundred acres of the petitioner's property at the intersection of main highways Route 35 and Route 123 as an appropriate "ORL" ("office," "research" and "light industry") location, in response to local inquiry which sought good local tax-paying businesses. The resulting response from some of the residents, who are but little concerned with the "local welfare" and even less concerned with the "general welfare" resulted in a prompt repeal of the "ORL" provisions altogether.

15. A building and/or housing moratorium is now threatened together with placing many, if not most, of petitioner's lots, numbering 107 parcels (which are separately taxed and were subdivided approximately sixty years ago) into a "rural zone" and limiting development of the balance of the petitioner's property of 400 acres to 130 to 150 housing units.

16. The town engineers of Croton Falls, New York, have advised that "it will be at least a year" before they "can even look at a plan" which the petitioner has presented for building forty-four housing units on a portion of his property although said plans are in full conformity with existing zoning regulations.

17. Developers will pay no more than a token consideration for petitioner's property until building approvals are obtained. Litigation to achieve such took a Mitchel Berenson, of Westchester County building fame, thirteen (13) years. Petitioner is now seventy-two years of

age and could not survive or finance such a long ordeal.

18. The *New York Times* of July 1, 1984, p. 10 C/W, notes that there has been no "nonsubsidized rental housing in Westchester County since 1974. . ." Likewise the *Times* of July 29, 1984, p. 10 R C/W, states, "Part of the Berenson property on Old Farm Road in Chappaqua is finally being developed into condominiums after two decades of involvement in a dispute and a lawsuit that opened northern Westchester County to such housing. But Mitchell Berenson, who bought the property in 1956 and tried to develop it in the face of zoning restrictions, will not be the builder . . . . Mr. Berenson ultimately won his rezoning case five years ago, but "by that time it was too big a deal for me to handle," he said recently. 'I got older.' "

19. A very vocal minority, many if not most of whom are relatively newcomers, should not be permitted to prevent the development of additional housing for the Town of Lewisboro.

WHEREFORE, the petitioner respectfully requests the issuance of the attached Order to Show Cause and the requested injunctive relief.

Respectfully submitted,

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and

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May 1, 1985

APPENDIX A

MEMORANDUM OF PETITIONER

As heretofore stated, the housing shortage in these United States has reached critical and almost unmanageable proportions. Rents have skyrocketed far in excess of usual inflationary pressures. Home building has long been in the doldrums and government subsidies have had but small impact on snowballing basic housing needs.

The fault in large part is not due to lack of capital or management or labor. As one leading town official recently publicly expressed it, he did not "want to see hordes of people moving to town. We're very happy just the way we are." Another says for publication that a decade from now he hopes "the town will be exactly the way it is now."

This attitude is reflected and well implemented by some town zoning and planning regulations, and the purposeful inertia with which some zoners and planners approach their work. They like things "just the way they are." They and their neighbors may be commuters and/or appendages to a big city, but they do not want to become part of it or its problems. They may be newcomers to suburbia, but their preference for keeping things "just the way they are" may be even stronger than the old timers and/or "woodchucks" they found in place. "Density Zoning" is their tool.

This competition for land use and occupancy is older than the competition of "cowboys versus Indians." It is not now best solved by violence and/or controversy. Young people and young families should not be forced to leave their hometown to find a place to live, much less become tramps or vagrants on our highways. Newcomers

and/or city dwellers should not be faced with a circle of closed communities. Home builders should not have to allocate thirty percent or more of their building costs plus years of working and waiting to solve "zoning and planning" problems, disputes, or cases.

There is a "right to development" at the international level which has been recognized by the United Nations on several occasions in General Assembly Resolutions 34/46 (1979), 35/174 (1980), 36/133 (1981), and 37/199 and 37/200 (1982). (See American Journal of International Law, vol. 78, pp. 525 and 612.)

This housing situation in our nation is not simple or readily resolved. Heretofore, it has been left largely in the hands of local interests which have naturally accorded it self-serving treatment. Occasional judicial attention has given widely varying rules of thumb to pliant developers who usually felt they could not afford undue delay or quarrels with local authorities or neighbors.

However, local government has only such zoning and planning power as state enabling acts have given it. And state authority must have due regard for limitations of police power under the Fifth and Fourteenth Amendments of our Federal Constitution, i.e., "No person . . . shall be deprived of life, liberty, or property, without due process of law," and "No State shall . . . deprive any person of life, liberty, or property, without due process of law."

Left largely to their own self-interest and devices, numerous localities (or the same locality) have variously interpreted different regulations (or the same regulation) in greatly disparate manners. We do not suggest that it could be otherwise, but the time is at hand, if not long overdue, when some proper and reasonable and uniform guidelines and limitations should be propounded and established.

Zoning and planning and building codes have grown from pamphlet to volume size for varied reasons. We do not now suggest that in this matter at least that it should be otherwise. The formulation and completion of the housing product is principally in the hands of the builder and building inspector and the regulations which they must follow. Such do not concern us here. We are solely concerned with, "What is a buildable lot," i.e. "Density Zoning."

Our problem, and this case relate to only one facet of "what should be a proper limitation on zoning regulations." We do not suggest here that grocery stores or trailer parks have authority to establish themselves in residential neighborhoods. We do not propose that any facet of local "health" or "morals" or "safety" or "welfare," (which are the sole component elements of "police power") be prejudiced or burdened. We do not argue concerning "local" welfare. We represent and present only the legal and factual picture and needs of the "general welfare," of our nation and its component states and communities. We do not argue in behalf of any particular landowner. We try to speak for *all* landowners and the peoples whom their land might serve.

Home building and the water, sewage, road and utility construction which must acompany it are detailed tasks for builders and building inspectors. Owners of raw land, who wish to market it to builders, usually are not and should seldom be legally concerned with administrative delays related to building permits, etc.

Owners of raw land are, however, much concerned with *"density* zoning" as distinguished from "land use" or "planning," and coincidental administrative delaying tactics. Certainly it is not their purpose to promote or permit unhealthy places or ecological or environmental problems.

We are not presenting here the case of a sole or single landowner. We try to speak to and resolve a problem faced by our nation as well as all landowners, to wit: *"What should be the minimum size of a house lot?"*

A ready and equitable answer to this question could do much to resolve the impasse faced by many landowners and builders and relieve in some measure substantial litigation and the national shortage of homes.

In Westchester County of New York State sanitary regulations require that a well be one hundred feet from a septic tank and field. This can be achieved on a half-acre lot and likewise on a series of half-acre lots and sometimes less. Hence, under all usual circumstances a *"density"* zoning regulation of twice that size, i.e. one acre would permit a substantial degree of certitude for buyer and seller of land and also for public authorities and if peculiar circumstances or deficiencies should be present, a certified professional sanitary engineer could readily ascertain such fact. Such should not be the subject of litigation which might delay projects for years.

At present in the State of California for example, disparate regulations limit home construction on lots varying from 18 acres (in an agricultural district) (*Gisler v. County of Madeira,* 308 Cal. App. 3rd 303, 112 Cal. Rptr 919 (1974) to 5,000 square feet (*Clemons v. City of Los Angeles,* 367 Cal. 2d at 95, 222 P.2d 439 (1950)).

There are a great number of cases now and heretofore in appellate courts challenging zoning regulations and many many more in courts below. Most "density" zoning regulations pertain to and limit development to a minimum of one acre or less. Others range to two acres and more. The most substantial collection of authority which we have found in any text is in Rohan, on "Zoning and Land Use

Control," which is a nine-volume, up-to-date extensively foot-noted treatise.

Some of the factual details concerning the instant case are stated in the attached affidavit of the landowner. In short, his vendee obtained approval in 1975 for 162 housing units on 286 acres of land after more than three years of diligent and expensive effort and putting plans through eight (8) revisions. This building quota could then be doubled to 324 housing units if bedrooms did not exceed two bedrooms per unit under "Designed Residential Development" regulations then in effect but since repealed. Much of the land was already zoned for 5,000 to 7,500 square feet per building lot (almost 6 to 9 houses per acre) and some were one-acre zones. There is a large microwave tower of the American Telephone & Telegraph Company on four acres zoned "industrial" in the middle of the property. After another year and one-half of effort making about five years in all, the developer gave up after a wasted expenditure of approximately five years and $300,000 because of inability to come to terms with the Town on problems of water supply and sewage disposal. There was plenty of water, i.e., two lakes, a large stream (Mill River) plus five artesian wells which had been drilled. However, the Town demanded a million-dollar pipeline into a remote area so that outsiders could use it, and negotiations thereupon broke up.

Now the Town has repealed its "Designed Residential Development" regulations. It appears that this and other changes have reduced the home building quota on half again as much land (400 acres and about a hundred lots) from perhaps 350 to as few as 150 dwellings. The circumstances and need for certitude in this case have prompted the petitioner to seek a declaration and order, pursuant to the attached suggested draft, in his own behalf and others

similarly situated providing that one acre of land found to be buildable for residential purposes by a certified sanitary engineer may be used for such purposes and must be promptly issued the appropriate and usual building permits, and that application be heard and decided within sixty (60) days.

Respectfully submitted,

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May 1, 1985

APPENDIX B

AFFIDAVIT

STATE OF CONNECTICUT)
COUNTY OF FAIRFIELD) SS. New Canaan
May 1, 1985

Robert C. Bell, Jr. herein duly sworn, deposes and says:

The shortage of available housing in these United States, particularly for youthful and elderly couples, is rapidly reaching crisis proportions. Not a little of this difficulty is due to local government control of land use and subdivision, much of which is under the guise of local zoning and planning regulations. Most home owners, both old residents and newer residents, prefer to retain and maintain conditions exactly as they have been.

Zoning and planning regulations have now often grown from pamphlet to book-sized proportions. Subdivision projects have been stretched into many months and years, with procedural problems and delays which have become more complicated and more protracted than many cases in the most over-burdened courts of law. Matters are handled on the basis of what is considered to be the "local" welfare. The "general" welfare is blithely ignored. Regulations are interpreted, or misinterpreted, or forgotten as convenience indicates. The regulations themselves often are general or not precise and/or so complex as to be virtually meaningless. Small developers have few resources to combat zoning delays. Large developers surrender to local pressures and demands to avoid protracted time, difficulties and expense.

Young couples, consequently, must often live with parents or apart. Elderly couples or singles must frequently live with children or vacate larger or older homes for unfamiliar communities. The situation is further aggravated by the population explosion. The number of homeless

people and the general suicide rate have skyrocketed to frightening proportions among all classes, many of whom have found the complexities of present day living more than they can cope with.

A developer of land and homes today must usually on the average allocate in excess of thirty per cent (30%) of his budgeted expense plus much time and many delays merely to obtain project approval. Requirements and formalities which must be met are far in excess of anything which approximates or relates to a constitutional exercise of "police power". "Police power" traditionally has had to do with matters of "health" or "morals" or "safety". A water supply or sewage disposal system necessarily involves public and private health. A tavern must expect to operate in conformity with community morals. Roads and highways must be built and used in a safe and proper manner. Our ancestors built many beautiful homes on spacious lots under virtually unregulated conditions, and such homes can scarcely be duplicated today. Those builders had due regard for proper standards. Today the building industry is highly regulated and necessarily different.

Restrictive and complex standards of land subdivision should not be confused with restrictive and complex standards of construction. Problems in both areas have more than quadrupled the cost of home building within a relatively short period of time. The instant case is solely a problem in achieving a subdivision of vacant land, and a subdivision is only one step in the building process. The developers in Mt. Laurel, New Jersey, who benefitted from a decision of this Court are purportedly still struggling with local regulations and regulators.

Homebuilders and their affiliates, of course, are not charitable parties. Regulations of all kinds can be influential in keeping outsiders out, and in the prevention of

appropriate and warranted economies. In the end it is the consumer who usually pays — if he and/or she can find any housing whatsoever in the face of present shortages. The public press mentions almost daily the extent and details of this quite general problem of which this honorable Court may justifiably take judicial notice.

When your petitioner got out of military service nearly forty years ago, he was able to borrow 100% of the purchase price of a house at four (4%) per cent interest. Unfortunately a man and his wife must usually now both work and save for many years merely to obtain the down payment plus a high interest mortgage on a home.

As to the case at hand, this petitioner owns approximately four hundred (400) acres of land plus 107 lots within less than forty (40) miles of the center of Manhattan. Most of this property he has had for more than twenty-three years. The lots were subdivided and approved and have been separately taxed for sixty years. The Town apparently is now soon going to eliminate them and designate the area as "rural" land. This would be very damaging because the Town now requires a "contribution" of $750 to the Town Recreation Fund for any "new" lot.

Some twelve years ago a British-French-Canadian organization (DWS Holdings, Inc.) took an option of three years to develop approximately one-half of the property. After two extensions of its option agreement and five (5) years of trying, with an out-of-pocket planning expenditure of over $300,000 for nine (9) separate layout surveys, numberless architectural plans, models, hearings, conferences, traffic studies, sewage studies, water studies, the drilling of five artesian wells, etc., etc., the developers gave up. Plans for 162 condominium units had been approved. This could be doubled to 324 housing units under the then available "designed development" provisions of

the zoning regulations if construction was held down to two (2) bedrooms per unit (to avoid congestion in the schools). (These "designed development" provisions have since been repealed and the building quota consequently cut in half.) The buildings were to be consolidated into a single structural unit as permitted under Section 281 of the New York State Real Estate Code. The anticipated cost was twenty million dollars ($20,000,000) at that time. Finally, the developers gave up in what they felt was a hostile and unsolvable situation.

The heavy taxes on this generally unimproved property and the apparent inability to use it have severely damaged its value. Such involved an unconstitutional taking without due process of law. A more recent "Town Development Plan" and "Zoning Ordinance" dated February 8, 1977, and subsequently amended with further amendments planned, additionally negatives substantial use of much of the said property as "Stream/Wetland Preservation" and "Hilltop/Ridgeline Preservation." Although perfectly usable, there has been no financial remuneration or consideration for the sterilization of such property, nor has it been removed from the tax rolls. Certainly there is no pretense of even a remote relationship with "health" or "morals" or "safety" for any of these sterile classifications.

The first zoning ordinance in Lewisboro, dated May 30, 1936 zoned most of this property "half acre" (The hundred acres on the West were one acre). This standard should be retained. Your petitioner is over seventy-two (72) years of age. This land, much of which is under a substantial mortgage, is his principal and almost sole asset. Potential purchasers require that it be usable. But no use is ascertainable until zoning approval of subdivision plans can be obtained. Consulting engineers of the Town claim that it will take in excess of one (1) year before they can get

around to even looking at any proposal. Previous approvals passed into limbo after one year and they will not now even "look at them."

Your petitioner is fearful that current plans for rezoning will wipe out many, if not all, of the more than one hundred individual and separate lots, which have existed for sixty years, by putting them into a new "Rural Zone," which will further reduce the available building quota. When your petitioner offered a brief, only slightly more than two-words, "I object," at a recent open meeting of the Planning Board, he was advised that the public could not be heard. On another occasion a town official jocularly advised the applicant and an associate to "go fishing." This petitioner is now here "fishing" – in the public interest.

Housing is presently one of the most important and least satisfied private and public needs. A homeless generation cannot produce or reproduce a sound and safe society. The economic laws of supply and demand have not been permitted to operate in the housing field. In the middle of World War II this petitioner looked at thirteen (13) houses for rent in his prospective home town, all within walking distance of the railroad station. Houses outside of the center of town were vacant by the score because occupants could not get fuel oil, gasoline and household help, so they took New York City apartments. Upon discharge from military service this petitioner found his house had been sold to another soldier so he and his family had to get out. There was not a house in town for rent, and there were only two homes in town for sale. He bought one of these, a fourteen-room house and nearly two acres of land for $8,000, and he borrowed 100% of this at four (4%) per cent interest, paying all cash. Nearly forty years later this same property is conservatively worth

over $300,000 or about forty times as much. Homeseekers must now work and save half a lifetime for a down payment on a home and spend the rest of their life paying on a mortgage. They often cannot find the time or have the means to have children. The body politic suffers. Some of the rise in housing costs is due to high inflation, of course, but the greater portion of such, by far, is due to the serious housing shortage. The delays inherent in subdivision work, and numerous local approvals and clearances have driven many reliable and experienced builders from the field. The remainder are often able to obtain outrageous prices for completed but frequently shoddy work. "Housing" is now largely in the hands of large builders and massive developments which can struggle through regulations with their plans.

"Density Zoning" has much to do with the problems of towns and town planning. "Density Zoning" has little or no relationship to "health" or "morals" or safety" or even to any ephemeral concept of the "general welfare." The adjacent town and city of Stamford, Connecticut and the County of Fairfield, which includes it, have become the headquarters of more so-called "Fortune 500" companies than any comparable area except New York and Chicago. Yet Stamford has a smaller population than it had ten years ago. Corporate taxpayers are welcomed. Young people, who might burden schools and highways, are not. Nonetheless, Stamford now permits multi-family structures which house *sixty* families to the acre.

The Frederick P. Clark Associates, of Rye, New York, which does much of the "town planning" for the area, recently submitted a map to the Town Planing Board of the Town of Lewisboro, which became the basis of a handbill distributed by a so-called "Waccabuc Landowner's Council." It became apparent that an organized

and vocal minority could stop any planning even on areas adjacent to state and interstate highways. Not only was planning halted but a so-called "Floating Zone," whereby "desirable" taxpayers in an approved "office/research/light-industry" (ORL) category could pick their location, was summarily repealed.

The Town of Lewisboro consultant at "Bibbo Associates," on Hardscrabble Road, in Croton Falls, New York, has advised that it would take a year for him to "even look" at any plan of subdivision that your petitioner might submit. Of course it could take some years, if ever, thereafter for some plan of any kind to be approved and/or revised and re-revised, much less carried through or implemented. Under such circumstances any remedy at law or usual legal procedures is and would be impossible. With a population explosion in this nation and particularly in this area, immediate and drastic measures are required.

Time is of the essence here. The New York Supreme Court Appellate Division, Second Department in *Robert E. Kurzis, Inc. v. Incorporated Village of Upper Brookville,* 67 A.D.2d 70, 414 NYS2d 573 (1979) has already held that a five-acre minimum lot requirement was arbitrary and unreasonable because it had no substantial relation to the public health, safety, morals or general welfare. Mr. Mitchell Berenson, the appellant in *Berenson v. Town of New Castle,* 38 N.Y.2d 102, 378 N.Y.S.2d 672, 341 N.E.2d 236) advises that it took him thirteen (13) years to surmount legal obstacles and achieve his plans for a subdivision. The public convenience and necessity does not now permit such dilatory actions or results.

More than twenty-five years ago the previous owner of a portion of your petitioner's property which is zoned for four-acre development petitioned local authority to rezone the same to one-acre use. This petition was denied but he

was advised that a petition to reduce zoning to two acres might be favorably received. This said petition for a one-acre zone is herewith respectfully renewed. Current regulations of the State of New York merely require that a septic system be located 100 feet or more from the nearest well and vice versa. This is readily achievable within a half-acre or less. A one-acre zone is in the public interest and should prevail.

Your petitioner respectfully requests:

1. That all zoning regulations in the Town of Lewisboro, New York, requiring two (or four) acres or more of land or anything in excess of one acre for the construction of a dwelling should be declared to be a prima facie unconstitutional limitation on the property rights of a landowner where competent engineering authority is to the contrary.

2. Planning Boards should hear and decide applications for subdivision within sixty days.

Respectfully submitted,

ROBERT C. BELL, Jr.
528 Main Street
New Canaan, CT 06840

May 1, 1985

Exhibit 1

+ PUBLIC NOTICE +

DO YOU WANT TO LIVE NEXT TO A FACTORY?

(OR NEXT TO AN OFFICE COMPLEX OR HOTEL?)

COME AND HEAR THE LEWISBORO PLANNING BOARD'S PROPOSAL TO PLACE LIGHT INDUSTRY AND COMMERCIAL DEVELOPMENT IN *RESIDENTIAL AREAS* OF LEWISBORO.

THE PLANNING BOARD SAYS THAT MANY OF THE *BEST SITES* FOR LIGHT INDUSTRY, OFFICE COMPLEXES, AND RESEARCH LABORATORIES ARE IN THE *NEIGHBORHOODS OF SOUTH SALEM, WACCABUC, CROSS RIVER, GOLDENS BRIDGE AND VISTA.*
(SEE PLANNING BOARD MAP ON REVERSE SIDE.)

THE PLANNING BOARD IS NOW REVISING OUR TOWN'S MASTER PLAN AND IS SUPPORTING THIS CHANGE. BUT BEFORE MAKING A FINAL DECISION. . .

THE PLANNING BOARD IS HOLDING NEIGHBORHOOD MEETINGS TO GET YOUR VIEWPOINT . . .
DO YOU WANT TO LIVE NEXT TO A FACTORY?

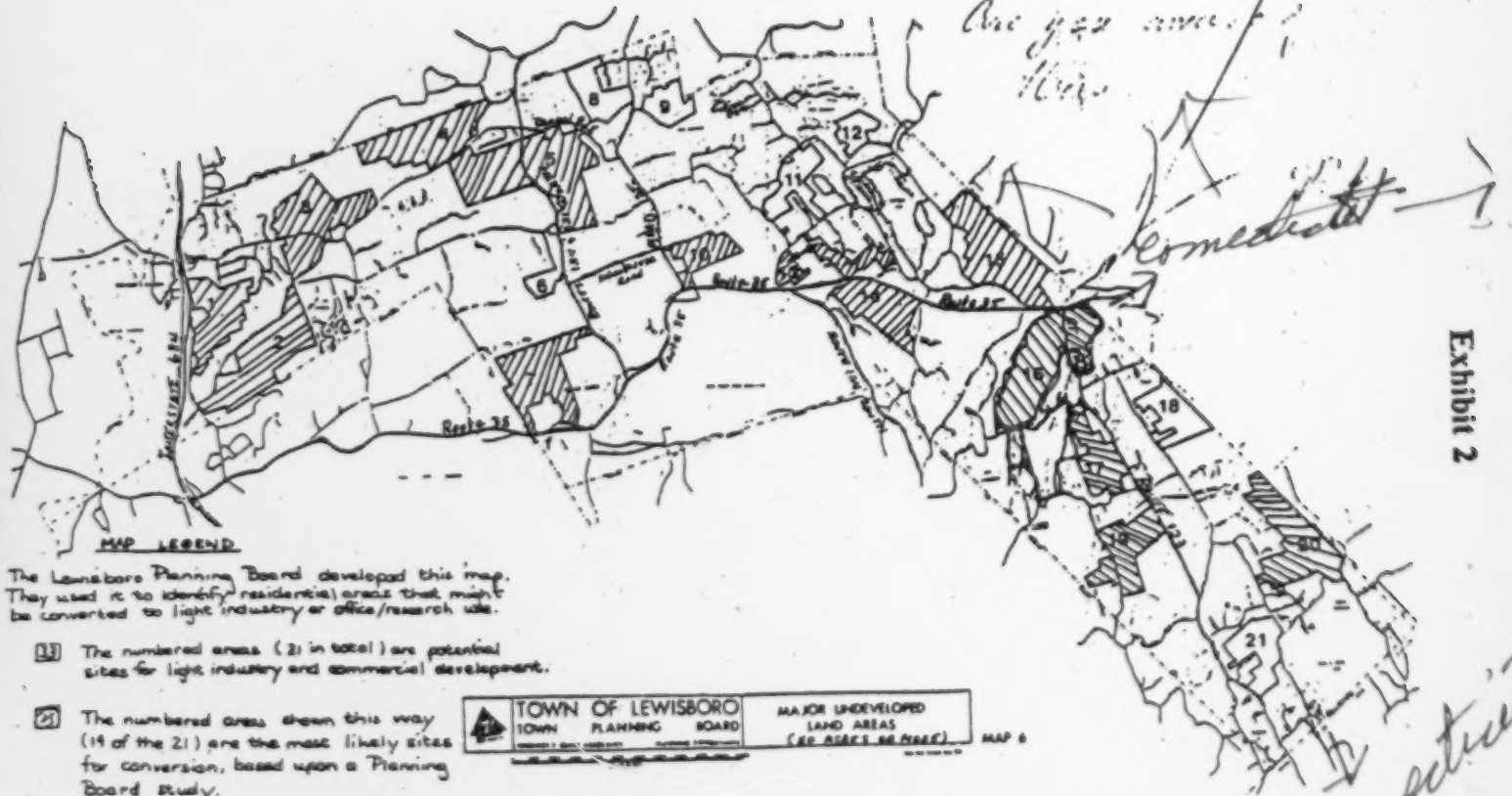
COME TO YOUR MEETING BE SEEN AND BE HEARD

NEIGHBORHOOD	DATE:	TIME:	LOCATION:
GOLDENS BRIDGE	FEB. 29	8:00PM	INCREASE MILLER SCHOOL
CROSS RIVER, SO. SALEM & WACCABUC	MARCH 8	8:00PM	JOHN JAY JR. HIGH
VISTA	MARCH 12	8:00PM	MEADOW POND SCHOOL

ISSUED BY WACCABUC LANDOWNER'S COUNCIL

BEST AVAILABLE COPY

Exhibit 2



MAP LEGEND

The Lewisboro Planning Board developed this map. They used it to identify residential areas that might be converted to light industry or office/research use.

[19] The numbered areas (21 in total) are potential sites for light industry and commercial development.

[21] The numbered areas shown this way (19 of the 21) are the most likely sites for conversion, based upon a Planning Board study.

TOWN OF LEWISBORO
TOWN PLANNING BOARD

MAJOR UNDEVELOPED LAND AREAS (40 ACRES OR MORE)

MAP 6